REMARKS

Entry of this Amendment, reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims are respectfully requested in light of the amendments made to the claims and the remarks made herein.

Claims 1-8 are pending and stand rejected. Claims 1, 3, 4, 7 and 8 have been amended. No new matter has been added

The examiner has objected to the Oath/Declaration as it allegedly fails to state that the person making the oath or declaration acknowledges the duty to disclose all information know to be material to patentability.

Applicant provides, herewith, a Supplemental Oath/Declaration executed by the inventor acknowledging his duty to disclose information which is material to patentability.

Having provided a Supplemental Oath/Declaration, applicant submits that the reason for the examiner's objection has been overcome and can no longer be sustained. Applicant respectfully requests entry of the Supplemental Oath/Declaration and withdrawal of the objection.

Claim 8 is objected to because the examiner alleges that this claim shows an improper dependency. Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for objecting to the claim. However, in the interest of advancing the prosecution of this matter, applicant has elected to amend claim 8 to more clearly state the invention. More specifically, applicant has amended claim 8 to recite the subject matter recited in claim 1. No new matter has been added. Support for the amended language may be found in claim 1.

Having provided appropriate correction to claim 8, applicant submits that the reason for the examiner objection has been overcome. Applicant respectfully requests withdrawal of the objection and allowance of the claim.

Claim 8 stands rejected under 35 USC §112, second paragraph as being indefinite because it does not state what is the functionality of the claim.

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for objecting to the claim. However, in the interest of advancing the prosecution of this matter, applicant has elected to amend claim 8 to more clearly state the invention, as previously stated.

Having provided appropriate correction to claim 8, applicant submits that the reason for the examiner rejection has been overcome. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

Claims 1-7 stand rejected under 35 USC §101 because they are allegedly directed to non-statutory subject matter. With regard to independent claim 1, the examiner alleges this claim recites a software architecture where the claimed recitations are merely claiming a programming per se.

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims. The law in the area of patentability is clear; "[w]hoever invents or discovers a new and useful process, machine, manufacture or composition ... may obtain a patent therefore, subject to the conditions of this requirement." 35 USC §101.

In this case, applicant submits that claims 1-7 recite a system architecture that teaches one skilled in the art to develop software processing having the disclosed architecture or systems having software with the disclosed architecture. Accordingly, applicant believes that claims 1-7 are in a condition that fulfills the requirements for obtaining a patent and elects not to amend the clams at this time.

Having addressed the examiner's reason for rejecting claim 1-7 and showing that the form of the claims are sufficient for one skilled in the art to practice the claimed invention, applicant respectfully requests that the rejection be withdrawn and the claims allowed.

Claims 1-8 stand rejected under 35 USC 102(b) as being anticipated by Walton "R-CODE A Very Capable Virtual Computer," 1995.

Walton, on page 25, section 2.3.1, which the examiner refers to, teaches the organization of a memory as a sequence of objects, free blocks, and gaps. A gap is an unimplemented piece of memory and a free block is free to be allocated to objects. Each

object, free block or gap has a non-zero positive integer length and an address which equals the sum of the lengths of the previous objects, free blocks and gaps. Objects contain pointers to other objects; the pointer to an object is in effect the address of the object. The different places where pointers can be stored, **within an object** are called pointer components. (emphasis added). Walton further teaches that an object is reachable if it is in the set of root objects or if it can be reached from the root set by following the pointers in the objects.

Hence, Walton teaches a system wherein objects contain references, i.e., pointers, and that the objects can reached by following the references within each object. In essence, Walton teaches a link-list of references within modules (objects) that allows the program to proceed from one object to another. Walton fails to teach that the reference to other objects "is supplied as an input to said calling module," as is recited in claim 1, for example. In fact, the instant application discloses a system similar to that taught by Walton, in Figure 2 of the instant application, wherein module M0 includes references, i.e., pointers, to modules M1, M2, M3 and M4 and module M1 includes a reference, i.e., pointer, to module M3. The instant application distinguishes the claimed invention from the architecture shown in Figure 2.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Walton cannot be said to anticipate the present invention, as recited in claim 1, because Walton fails to disclose the element "the reference of the module to be called is supplied as an input to said calling module," as is recited in the claim. Rather, Walton, as previously discussed, teaches a system wherein each object maintains object pointers that are referenced and that this is a system from which the inventor of the present invention provides ample distinction.

Having shown that Walton fails to disclose each and every element claimed, applicant submits that the reason for the examiner's rejection of claim 1 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to independent claims 4 and 8 (as amended), these claims each recite the element "the reference (&M3) of the module to be called is supplied as an input to

said calling module," as is recited in claim 1 and the examiner has rejected these claims citing the same reference used in rejecting claim 1. Accordingly, the applicant's remarks made in response to the examiner's rejection of claim 1 are also applicable in response to the examiner's rejection of claims 4 and 8. Accordingly, in view of the amendments made to the claims and the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of claims 4 and 8, applicant submits that the examiner's rejection for rejecting claims 4 and 8 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to claims 2, 3, and 5, 6-7, these claims depend from independent claims 1 and 4, which have been shown to be allowable in view of the cited reference. Accordingly, claims 2, 3, and 5, 6-7 are also allowable by virtue of their dependence from an allowable base claim.
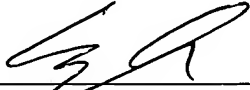
Applicant, further, submits that claims the claims were amended to correct errors in form and not to overcome the reference cited. Applicant submits that the substance of the originally filed claims has not been amended and the amendments made are neither related to patentability nor alter or limit the substance of the subject matter claimed.

Amendment
Serial No. 10/099,687

Docket No. PHFR 010033

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Gregory Thorne
Registration No. 39,398

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By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
Gregory Thorne, Registration No. 39,398
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615